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August 24, 2020

**Via ECF**

Honorable Lewis J. Liman  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

***Re: HC2, Inc. v. Andrew Delaney  
Civil Action No. 20-cv-03178-LJL***

Dear Judge Liman:

This firm represents HC2, Inc. HC2 respectfully writes to request a telephone conference to discuss a revised discovery schedule to complete discovery and, in particular, depositions for the remainder of the case. The case management plan ("Plan") filed May 7, 2020 required completion of depositions not necessary for the preliminary injunction hearing by September 14, 2020, and all discovery to be completed by November 30, 2020. (*See* Dkt. No. 24). The parties are unable to agree upon dates for the completion of depositions in light of the pending amended counterclaim and related motion to dismiss. Pursuant to Section 1(b) of the Court's Individual Practices, I have conferred in good faith to no avail with counsel for Defendant Counter-Claimant via email beginning on Thursday, August 24, 2020, and today by telephone conference. Given the apparent impasse, HC2 brings the issue to the Court's attention at the first instance for the Court's resolution via conference.

We thank the Court for its consideration of this request.

Respectfully Submitted,

OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.

*s/ Michael Nacchio*

Michael Nacchio